

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

UNITED STATES OF AMERICA

V.

1:17cr00224-AT-CMS

ALLAN PENDERGRASS

UNOPPOSED MOTION TO CONTINUE TRIAL DATE

Comes now the Defendant, by and through counsel and asks that the trial date for this matter, currently set for September 24, 2018 be continued as requested below:

1.

Undersigned counsel went to his physician in early August and diagnosed with arrhythmia. It was recommended that he be seen by his cardiologist to further address that matter. ,

2.

On September 10, counsel was examined by his cardiologist who recommended counsel have a cardiac catheterization next week.

3.

Hopefully nothing worst than a stent or two will be required.

4.

Wherefore, insofar as I will be hospitalized at least part of next week, counsel asks for a reset of this matter to late October or late November. Counsel has trials set for November 5 or November 13, 2018,(State v. Caldwell) and U.S v. Copeland (retrial after hung jury (November 5, 2018, ) before this Court.

5.

Counsel for the Government has out of State witnesses in this matter and will need time to subpoena them.

6.

Therefore counsel requests this matter be reset to late November if possible. If the news next Monday is worse than expected (surgery ) counsel will notify this Court immediately.

7.

Assistant United States Attorney Jeff Brown graciously does not oppose this relief.

WHEREFORE, Defendant prays;

1. That trial on this matter be reset and additional time be given to file voir dire and requests to charge and
2. For such other relief that this Court deems appropriate.
- 3.. That any such period of time be excluded under the Speedy Trial Act as such would be necessary in the interests of justice, and

Respectfully submitted,

S/Robert H. Citronberg

---

Robert H. Citronberg  
Attorney for Defendant-Court Appointed  
State Bar #126275

Suite 4100  
303 Peachtree Street,  
Atlanta, Ga. 30308  
(404) 522-7450

CERTIFICATE OF SERVICE

It is hereby certified that the foregoing motion was served electronically on:

Mr. Jeff Brown  
Assistant United States Attorney  
Richard B. Russell Courthouse  
75 Spring St., SW  
Atlanta, Ga. 30303.

This 12th day of September, 2018

S/Robert H. Citronberg

---

Robert H. Citronberg  
Attorney for Defendant Pendergrass (Court  
Appointed)

Suite 4100  
303 Peachtree St.,  
Atlanta, Ga. 30308  
678-986-3833 (cell)